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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECHNOLOGY CENTER R3700

ATTY.'S DOCKET: DVIR=1

In re Application of:

Moshe FINAROV

Appln. No.: 09/898,467

Filed: July 5, 2001

For: APPARATUS FOR OPTICAL
INSPECTION OF WAFERS
DURING POLISHING

Art Unit: 2877

Examiner: P.E. Morgan

Confirmation No. 8148

Washington, D.C.

August 15, 2002

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to the Office Action of July 16, 2002,
entirely in the nature of a requirement for restriction,
applicant hereby respectfully and provisionally elects Group
I, presently claims 1-15, with traverse and without prejudice.

Applicant's traversal is based on the second
paragraph of MPEP 803. Applicant respectfully submits that a
complete examination of elected Group I cannot be carried out
without also a consideration of the related subject matter of
Group II. Once this additional subject matter of Group II is
considered, at that point it would not constitute a "serious
burden" to also examine the Group II claims. Applicant
respectfully notes that MPEP 803 **requires** examination of

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plural groups, even though the restriction requirement is correct, if it would not constitute a serious burden to do so.

Accordingly, applicant respectfully requests withdrawal of the restriction requirement and examination of all the claims on the merits.

Applicant respectfully awaits the result of a first examination on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Sheridan Neimark
Registration No. 20,520

SN:jec
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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